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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7+

Application Number

10/613,728

Filing Date

07-03-2003

First Named Inventor

ROBBINS, JEFFREY

Art Unit

1632

Examiner Name

Montanari, David A.

Attorney Docket Number

CHM02-GN053

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

ITEMIZED RETURN POST CARD

Remarks

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT INCLUDING FORM PTO/
SB/08B & COPIES OF 6 NON- PATENT REFERENCES

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

TAFT, STETTINIUS & HOLLISTER, LLP

Signature

Printed name

DAVID A. MANCINO

Date

12-01-2005

Reg. No.

39,289

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Carolyn Migala

Typed or printed name

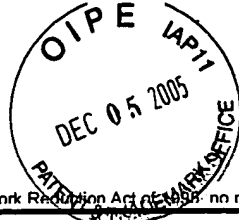
CAROLYN MIGALA, PARALEGAL

Date

12-01-2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	10/613,728
Filing Date	07-03-2003
First Named Inventor	Robbins, Jeffrey
Examiner Name	Montanari, David A.
Art Unit	1632
Attorney Docket No.	CHM02-GN053

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-3072 Deposit Account Name: TAFT, STETTINIUS & HOLLIS

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP = _____ x _____ = _____			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP = _____ x _____ = _____			

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): (1806) IDS SUBMISSION FEE

Fees Paid (\$)

\$180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 39,289	Telephone 513-357-9331
Name (Print/Type)	DAVID A. MANCINO		Date 12-01-2005

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(Date)

Carolyn Migala

Carolyn Migala

12/06/2005 GWORDOF1 00000028 503072 10613728

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant : Robbins, Jeffrey
Serial No. : 10/613,728
Filed On : 07-03-2003
Title : A ROBUST, INDUCIBLE CARDIAC PREFERRED EXPRESSION
SYSTEM FOR TRANSGENESIS
Docket No. : CHM02-GN053
Examiner : Montanari, David A.
Art Unit : 1632

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. § 1.97, the Examiner's attention is directed to the references listed on the attached Form PTO-SB-08B. A copy of each of the non-patent listed references is provided.

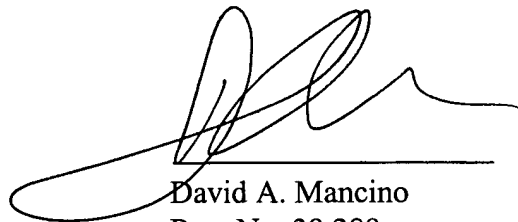
It is to be understood that the present disclosure of art is in no way intended to be a waiver of any arguments or defenses available to the Applicant under the rules of the U.S. Patent

{W0594194.1}

Supplemental Information Disclosure Statement
CHM02-GN053
Page 2

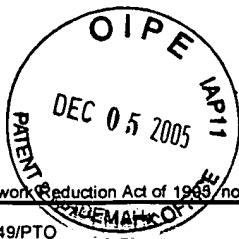
and Trademark Office and the statutes of the United States. The Commissioner is hereby authorized to charge any fees that may be required by this paper, or to credit any overpayment to Deposit Account 50-3072.

Respectfully submitted,



David A. Mancino
Reg. No. 39,289

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PTO/SB/08B (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/613,728
Filing Date	07/03/2003
First Named Inventor	Robbins, Jeffrey
Art Unit	1632
Examiner Name	Montanari, David A.
Attorney Docket Number	CHM02 GN053

Sheet	1	of	1
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		RAHKONEN et al, "Characterization of the murine TIMP4 gene, localization within intron 5 of the synapsin 2 gene and tissue distribution of the mRNA," Biochimica et Biophysica Acta, 19 August 2002, p45-abstract, 1577-1.	
		CHARRON et al. "Cooperative Interaction between GATA-4 and GATA-6 Regulates Myocardial Gene Expression," Molecular and Cellular Biology, June 1999, p4355-4365, 19-6	
		DELOW et al. "Identification of novel, cardiac-restricted transcription factors binding to a CACC-box within the human cardiac troponin I promoter," Cardiovascular Research, April, 2001, p24-abstract, 50-1	
		GREPIN et al. "A Hormone-Encoding Gene Identifies a Pathway for Cardiac but Not Skeletal Muscle Gene Transcription," Molecular and Cellular Biology, May 1994, p3115-3129, 14-5	
		KIEWITZ et al. "Transcriptional Regulation of S100A1 and expression during mouse heart development," Biochimica et Biophysica Acta, 20 Dec 2000, p207-abstract, 1498-2/3	
		MAJALAHTI-PALVIAINEN et al. "Gene Structure of a New Cardiac Peptide Hormone: A Model for Heart-Specific Gene Expression," Endocrinology, 2000, p731-740, 141-2.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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